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ADJOURNED REGULAR MEETING
ADJOURNED FROM JUNE 23, 1993, 7:00 A.M.
CARNEGIE FORUM
305 WEST PINE STREET, LODI
JUNE 23, 1993
7:00 P.M.

Roll was recorded by the City Clerk as follows:

Present: Council Members - Davenport, Mann, Sieglock,
Snider and Pennino (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City
Manager Glenn, Finance Director Flynn,
Revenue Manager Cadwallader, Account Manager
McAthie, Librarian Andrade, Parks and
Recreation Director Williamson, Recreation
Supervisor Field, Parks Supervisor Essin,
City Attorney McNatt, and City Clerk Perrin

Mayor Pennino called the meeting to order.

1993-94 OPERATING BUDGET REVIEW

CC-21 (b)

LIBRARY'S BUDGET

Assistant City Manager Glenn presented an overview of the budget for the Library and reminded the City Council that it has no control over the Library's budget; however, the City Council does appropriate monies to the Library. The actual budget is approved by the Library Board.

Bud Sullivan, Chairperson, Library Board, gave a detailed report of the reductions that the Library has taken or will take, if necessary. The appropriation from the City of Lodi has been reduced by \$100,000, and the Library plans to reduce part-time hours, to possibly implement work furlough days which may result in closing the Library one day, and reductions in supplies and materials.

Speaking on the matter were the following persons:

- a) Frank Alegre, 2000 Edgewood Drive, Lodi; and
- b) Henry Mellon, 1200 South Pleasant Avenue,
Lodi.

On motion of Council Member Sieglock, Snider second, the City Council unanimously adopted a revised Schedule F, as presented by Assistant City Manager Glenn.

PARKS AND RECREATION DEPARTMENT'S BUDGET

Camp Hutchins:

Assistant City Manager Glenn presented an overview of the budget regarding Camp Hutchins and the recommendation in the budget to discontinue the operation of Camp Hutchins, unless it is made self-funding. City Manager Peterson presented three options for the City Council: (1) discontinue the operation of Camp Hutchins; (2) continue the operation as it is now; or (3) continue the operation and make it self-funding. A proposed fee schedule was presented to the City Council.

Parks and Recreation Commission Chairperson, Bob Johnson, presented the Commission's view on Camp Hutchins that it can be self-funding. Lisa Rudloff, Camp Hutchins Director, answered several questions from the City Council.

Speaking in favor of continuing Camp Hutchins were the following:

- a) Steve Manildi, 1114 Devine Drive, Lodi;
- b) Linda Hoover, 1824 South Sacramento Street, Lodi; and
- c) Salley Golliste, 1335 Woodmont Way, Stockton.

A petition was given to the City Clerk urging the continuation of Camp Hutchins and retention of Lisa Rudloff's position.

On motion of Council Member Sieglock, Davenport second, the City Council unanimously approved reinstating the funds for Camp Hutchins budget and allow the Parks and Recreation Commission to review the fee schedule and bring it back to the City Council.

RECESS

Mayor Pennino called for a ten-minute recess and the City Council meeting reconvened at approximately 8:37 p.m.

Park Rangers:

Assistant City Manager Glenn presented an overview of the recommendation in the budget to cut the park rangers. If the Council determined it does not want to do this, it would cost approximately \$90,465 to fund, and, if so, does the Council wish to see this program in the Parks and Recreation Department or in the Police Department.

Bob Johnson, Chairperson, Parks and Recreation Commission, informed the City Council that the Parks and Recreation Commission had voted to keep the park rangers and to have

them be a part of the Police Department, and if not there, the Commission would then like to see them in the Parks and Recreation Department. Ed Wall, Commissioner, Parks and Recreation Commission, expressed similar feelings as Mr. Johnson and urged that all three rangers be retained. Chad Meyer, Commissioner, Parks and Recreation Commission, informed the City Council that he had voted against this motion due to the City's financial status at this time.

Speaking on the matter were the following persons:

- a) Lloyd Gums, Park Ranger, City of Lodi; and
- b) Frank Alegre, 2000 Edgewood Drive, Lodi.

Police Chief Hansen made comments regarding the possibility of the Police Department taking over the park ranger functions.

The City Council gave direction to the City Manager to leave the existing level of staffing in the interim budget until the final cuts by the State and then look into the City's options.

Recreation Division:

Mr. Glenn presented the budget for the Recreation Division and informed the City Council that it may wish to consider additional recreation fees and fees to make adult sports self-funding.

Recreation Chairperson Johnson informed the City Council that the Commission was unanimous that additional fees should be charged; however, they could not agree on how much. Also discussed were possible non-resident fees. The City Council felt it was unprepared to make any decision regarding these fees at this time; however, the City Council should be prepared to adopt the fees at the budget review session to be held on the June 24, 1993. The newspapers were notified about the fees.

Parks Division

Assistant City Manager Glenn outlined the budget for the Parks Division and informed the City Council of the proposed cuts and the elimination of one laborer.

Council Member Mann made a motion to cut the expenditure of fertilizer from \$10,000 to \$5,000 and use on the most needed parks. The motion died for lack of a second.

Speaking on the Parks Division budget was Frank Alegre, 2000 Edgewood Drive, Lodi.

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Continued June 23, 1993

AMENDMENT OF PERS CONTRACT TO PROVIDE
TWO-YEARS ADDITIONAL SERVICE CREDIT
(REPEAL AND RE-ADOPT ORDINANCE)

ORDINANCE NO. 1582 INTRODUCED

CC-6
CC-34
CC-149

City Attorney McNatt presented the following report.

At the meeting of May 19, 1993, the City Council adopted Resolution 93-65, a Resolution of Intention to approve an amendment to the contract between the City and the Public Employees Retirement System (PERS). This addressed what has become known as the "golden handshake" whereby two additional years of service credit could be given for City employees approaching retirement. The reason for this action would be to encourage those employees nearing retirement age, who are currently being paid at top step, to retire early. The replacements would be paid commensurately less, amounting to a cost saving for the City.

Both the Resolution of Intention and the first reading of the ordinance occurred at the May 19, 1993 Council meeting. The ordinance's second reading occurred at the June 2 meeting. Unfortunately, PERS has advised that it does not believe this complies with statutory time guidelines. On June 21, 1993, The City Attorney spoke with PERS representative Cynthia Wiegman who advised that she was of the opinion that Government Code Section 20460 required that the ordinance amending the contract between PERS and the City be adopted "not less than 20 days after the adoption of the Resolution of Intention". In Lodi's case, the time lapse between introduction and final adoption was only 14 days.

City Attorney McNatt was not convinced that the 20-day time limit specified in Government Code Section 20460 is applicable, since this statute specifically addresses an ordinance "approving" the contract and not an amendment. "Amendments" are addressed in the following section, and although the wording is somewhat ambiguous, it implies that amendments can be made without the 20-day waiting period. In any event, it is easier to comply with PERS' interpretation than to dispute this with them since there are already employees who have begun making arrangements and commitments to take the early retirement.

In order to avoid disruption of employees' retirement plans, it was requested that the Council introduce the ordinance at the adjourned meeting of June 23, 1993, with final adoption occurring at the next regular meeting on July 7, 1993. Under Government Code Section 36937(e) and Government Code Section 20460, the ordinance would take effect immediately following its final adoption. That

would move back the "window of opportunity" by 2 days, since we originally estimated that employees taking advantage of this provision could retire as early as July 6, 1993. It would also be necessary that the end of the period be commensurately extended by 2 days.

On motion of Council Member Snider, Sieglock second, the City Council unanimously repealed Ordinance No. 1576 regarding the amendment to the PERS Contract.

Further, the City Council, on motion of Council Member Snider, Sieglock second, unanimously introduced Ordinance No. 1582 entitled, "An Ordinance of the City Council of the City of Lodi Repealing an Amendment to the Contract Between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System".

ADJOURNMENT

There being no further business to come before the Council, Mayor Pennino adjourned the meeting at approximately 10:35 p.m. to Thursday, June 24, 1993 at 7:00 p.m.

Attest:


Jennifer M. Perrin
City Clerk